

By: Harris

S.B. No. 463

A BILL TO BE ENTITLED

AN ACT

relating to the statute of limitations for misdemeanors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 12.02, Code of Criminal Procedure, is amended to read as follows:

Art. 12.02. MISDEMEANORS. An indictment, ~~or~~ information, or complaint for any misdemeanor may be presented within two years from the date of the commission of the offense, and not afterward.

SECTION 2. Chapter 12, Code of Criminal Procedure, is amended by adding Article 12.08 to read as follows:

Art. 12.08. A COMPLAINT IS "PRESENTED," WHEN. A complaint is considered as "presented" when it has been filed by the proper officer in the proper court.

SECTION 3. The change in law made by Article 12.02, Code of Criminal Procedure, as amended by this Act, does not apply to an offense if the prosecution of that offense became barred by limitation before the effective date of this Act. The prosecution of that offense remains barred as if this Act had not taken effect.

SECTION 4. This Act takes effect September 1, 2007.